

CONSTRUCTION  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF FLAGSTAFF

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the CITY OF FLAGSTAFF, hereinafter called "CITY".

WHEREAS, the State is empowered by A.R.S. Section 28-108 to enter into this Agreement; and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE:

WHEREAS, the CITY is empowered by A.R.S. Section 9-672 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said CITY.

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the City. This work shall include but not be limited to the installation of new traffic signals at the following location:

<sup>B-40</sup>  
On US-66 (Santa Fe Avenue) at San Francisco Street  
in Flagstaff - Milepost 196.37  
Project # M-951-6-906

NO. <u>10533</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>8-15-85</u>
<u>[Signature]</u> Secretary of State

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on US 66 (Santa Fe) at San Francisco Street in Flagstaff.

2. The CITY, upon completion of the work shall reimburse the STATE for 50 per cent of the final construction and engineering costs at US-<sup>B-40</sup>66 (Santa Fe Avenue) at San Francisco Street in Flagstaff, not to exceed \$40,000 for its share of the cost of this work.

3. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.


4. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

5. This Agreement shall be filed with the Secretary of State and shall become effective upon filing.

6. Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the CITY is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

STATE OF ARIZONA  
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

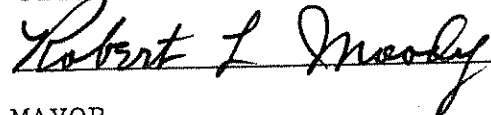
  
State Engineer

DATE:

31-July-1985

CITY OF FLAGSTAFF

BY:

  
MAYOR

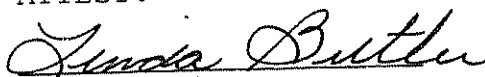
TITLE:

MAYOR

DATE:

July 17, 1985

ATTEST:

  
City Clerk

DATE: July 17, 1985

EXHIBIT "A"

Extract from the Minutes of the Flagstaff City Council Meeting held July 16, 1985.

Consideration of Intergovernmental Agreement - Traffic Signal Reconstruction, Santa Fe Avenue at San Francisco Street:

RECOMMENDED ACTION: Authorize the Mayor to sign the Intergovernmental Agreement for the construction of this signal.

A motion was made by Councilmember Darden and seconded by Councilmember Loven to accept the recommended action. The motion unanimously carried.

Linda Butler  
CITY CLERK

(SEAL)

EXHIBIT "B"  
APPROVAL OF THE CITY ATTORNEY

I hereby state that I have reviewed the proposed Intergovernmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION, and the CITY OF FLAGSTAFF, and declare the Agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 17<sup>th</sup> day of July, 1985.

CITY OF FLAGSTAFF

BY:

Joseph R. Bertoldo  
City Attorney



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

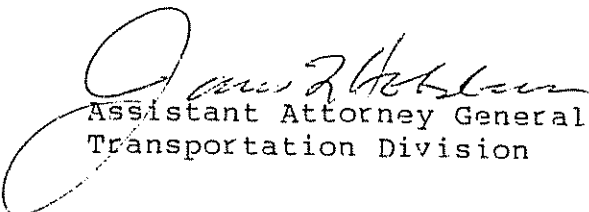
DETERMINATION

A. G. Contract No. 85-434 which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 12 day of August, 1985.

ROBERT K. CORBIN  
Attorney General

  
Assistant Attorney General  
Transportation Division

B-40

PROJECT #M-951-6-906

~~US-66~~ (Santa Fe Avenue) at San Francisco Street

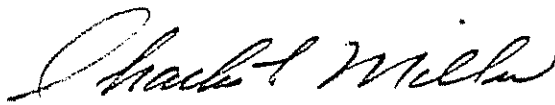
MP 196.37

Flagstaff

RESOLUTION

BE IT RESOLVED ON THIS 12<sup>th</sup> day of June, 1985,  
that I, Charles L. Miller, as Director, ARIZONA DEPARTMENT  
OF TRANSPORTATION, have determined that it is in the best  
interests of the State of Arizona that the DEPARTMENT OF  
TRANSPORTATION, acting by and through the Highways Division,  
enter into an Intergovernmental Agreement with the CITY OF  
FLAGSTAFF, to upgrade existing signal systems for left-turn  
phasing. New signal equipment is necessitated by inadequacy  
of existing equipment.

THEREFORE, authorization is hereby given to draft said Agree-  
ment which, upon completion, shall be submitted for approval  
and execution by the State Engineer.



Director  
ARIZONA DEPARTMENT OF TRANSPORTATION



# ARIZONA DEPARTMENT OF TRANSPORTATION

## HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

BRUCE BABBITT  
Governor

CHARLES L. MILLER  
Director

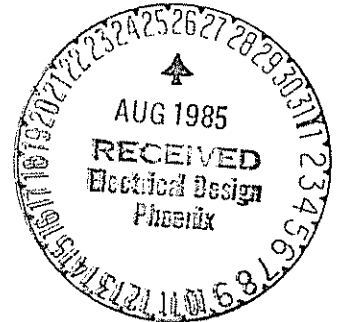
August 26, 1985

*Mary File*  
*Shirley Fule*

*PRJ*

W.O. FORD  
State Engineer

Mr. Gerald F. Craig  
Traffic Engineer  
City of Flagstaff  
211 West Aspen Avenue  
Flagstaff, Arizona 86001



Re: Intergovernmental Agreement  
Construction/Signalization  
*B-40* - US-66 at San Francisco St.  
City of Flagstaff/State of Arizona

Dear Mr. Craig:

Transmitted herewith is a copy of the referenced agreement, which has been executed and filed with the Secretary of State.

You will note the effective date of filing is August 15, 1985.

Yours very truly,

*Carl Bomer*

CARLIE BOWMER  
Assistant State Engineer  
Traffic Engineering Section

CB:mm

Attachment as indicated

cc: E.F. Gentsch - District Engineer  
✓ D.R. Olivarez - Traffic Operations  
Ben Patterson - Federal Aid  
Sally Al-Hashimi - Contracts Admin. Section (original)

